



500.46 Death Investigations

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POLICY

The investigation into the death of an individual as to the cause and manner of death, and with respect to a homicide the prosecution of the individual(s) responsible, can only be successfully undertaken through the cooperation of the road patrol deputy, homicide investigator, crime scene investigator and the Medical Examiner. This can only occur via a careful and intelligent examination of the crime scene, professional and medical evaluation of the evidence gathered, witness testimony, statements taken from suspects and the results of the forensic autopsy.

PROCEDURE

- A. Duties and responsibilities of the patrol deputy upon arrival at the crime scene:
 1. If there is possibility of life, summon ambulance and perform appropriate first-aid procedures.
 2. If the victim is deceased, pronounce the death and record the official time of pronouncement. If a paramedic or doctor pronounces the death, document their name and time the death was pronounced.
 3. Protection of crime scene:
 - a. Establish a perimeter; secure and protect the scene by isolation and physical barriers such as crime scene tape or other equipment as necessary.
 - b. If the ambulance crew is present before your arrival, attempt to determine if alterations have been made to the scene and document these alterations.
 - c. Record any alterations to the crime scene that were made as an investigative necessity.
 - d. Record names, addresses, dates of birth, and telephone numbers, etc. of all persons present at the crime scene.
 - e. If victim is removed from the scene by ambulance, a deputy should respond to the hospital or accompany victim in ambulance as necessary.
 - f. A deputy will remain at the crime scene to provide for its security until relieved by the Criminal Investigations or Crime Scene Unit supervisor or their designee.
 - g. If the victim's clothes are removed at the hospital, the clothing should be maintained as evidence if needed.
 - h. The on-scene supervisor will request additional deputies as needed to protect the crime scene.

- i. Initiate and maintain a chronological log of all persons entering the scene and reason for entry on crime scene log form (500.41-01).
- B. Preliminary Investigation
 1. Identify, isolate, and separate witnesses or suspects to be interviewed.
 2. Identify a path of entry and exit based on observation of the scene.
 3. Do not touch, move, or alter anything in the scene unless you are tasked with its collection or assisting in the collection. If you do, record it.
 4. Do not move or make safe any weapon unless absolutely necessary for officer or citizen safety or until such item is properly documented and collected.
 5. Document any preliminary statements taken or utterances made by witnesses and/or suspects.
 6. Each on-scene road patrol deputy will complete a comprehensive reporting of all things observed, learned and completed while working on the case. This reporting will be completed by the end of their respective shift, prior to going off duty.
- C. Follow-up Investigation
 1. Attended death investigations will be the responsibility of the road patrol deputies as long as the following criteria are met:
 - a. Deceased's physician or associate indicates that he/she can certify a cause of death and agrees to sign the death certificate; and
 - b. The Medical Examiner or his/her investigator concurs with the patrol deputy's investigation and physicians signing of the death certificate. If the above criteria are met, there is no requirement to make contact with the on-call Criminal Investigation Unit detective. If there is no attending physician available or the attending physician's practice is out of state and they are not licensed to practice in the state of Florida, the on-call Criminal Investigation Unit detective will be contacted and the Medical Examiner's Office will make a determination as to the disposition of the deceased's body.
 2. Procedures for Conducting Attended Death Investigations
 - a. Physical examination of the deceased will be made to uncover any evidence of trauma or other factors relating to the deceased's death.
 - b. All medication of the deceased will be collected and inventoried. Medications will be documented via property receipt and placed into evidence for destruction.
 - c. Contact will be made with the deceased's physician for determination of medical history and conditions, which may have led to the deceased's death. Determination will be made as to the physician certifying cause of death and ability to sign the deceased's death certificate.
 - d. The Medical Examiner investigator will be contacted and facts of the investigation will be presented for determination on the disposition of the deceased's body.
 - e. If the deceased's body is released to a funeral home, the Information for Funeral Home (500.46-02) will be completed along with a case report and forwarded to file. If the deceased's body is transported to the Medical Examiner's Office, the on-call Criminal Investigation Unit detective will be contacted, a case report will be completed, and the case will be referred to the Criminal Investigation Unit detective.

- f. The deputy should remain with the deceased until custody is transferred to the funeral home or Medical Examiner's Office.
- 3. Hospice
 - a. If law enforcement is called to the death of a hospice patient, the responding deputy will determine that the deceased is legitimately enrolled as a Hospice patient, all paperwork is present and valid, and there are no suspicious or unusual circumstances surrounding the death. The scene may then be released to Hospice and the body removed by the funeral home. Should the death be determined to have occurred from any other circumstances, the Criminal Investigation Unit will be contacted and assist as necessary.
- 4. Unattended and Suspicious Deaths
 - a. Criminal Investigation Unit must be notified of all unattended deaths (see Definitions document for definition of attended and unattended deaths).
 - b. Call Out Procedures for Criminal Investigation Unit detective and Crime Scene:
 - 1. The Criminal Investigation Unit and Crime Scene Unit will provide the Telecommunications Center with a current on-call schedule.
 - 2. Upon notice of the request for assistance by the supervisor, the Criminal Investigation Unit detective who is responding to the crime scene will determine the necessity for response of the on-call Crime Scene Unit.
 - 3. If the on-call detective cannot be contacted or is unavailable, notice will be made to the Criminal Investigation Unit supervisor or designee.
- D. Next of Kin Notifications__
 - 1. Notifications involving a death or serious injury relative to a criminal investigation will be made only upon the approval of the detective in charge of the investigation or the Criminal Investigation Unit supervisor.
 - 2. Victim Advocate and/or assistance from the Agency's Chaplain may be utilized to convey or assist in the notification process.
- E. Cold Cases
 - 1. For the purposes of the Criminal Investigation Unit, a cold case is any death or missing person investigation where foul play is suspected that has remained unsolved in excess of one year from the date the case was initially opened. These cases, by statute, have no time limitations in which they must be solved in order to be prosecuted. They can remain open until solved or for a period of time in which the perpetrator will most likely have died eliminating the possibility of prosecution.
 - 2. Establishing cold case evaluation criteria:
 - a. Cold cases are routinely evaluated by both the Criminal Investigation Unit supervisor and the detective within the unit, to determine if additional investigation is warranted.
 - b. Individual cases are often reviewed when additional information is learned regarding a particular case and this information can be further developed through the investigative process.

- c. Once a case is assigned, the physical evidence is examined by the Criminal Investigation Unit case detective and a crime scene technician, who is assigned to the case, to determine if additional analysis with newer technology will enhance the probability of determining a suspect.
 - d. This evidence and the analysis completed on each item are documented via an evidence log for each case that is reviewed.
3. Recording agency investigative actions or activities:
- a. The Criminal Investigation Unit has the goal of examining each of the cold case investigations currently assigned to the unit beginning with the most recent and working in reverse chronological order back in time.
 - b. These cases will be reorganized.
 - c. Any audio and visual recordings shall be backed up in a digital format.
 - d. The cases will then be reviewed by a detective and presented to a panel of major crimes detectives along with crime scene technicians and the State Attorney's Office, if necessary, to determine if additional analysis is warranted.
 - e. The case detective who presents the case will follow up on any additional leads developed by the review team and additionally will complete a written report to document the actions of previous investigators, if possible, along with the investigative actions that were made as a result of the case review.

DEFINITIONS

ATTENDED DEATH - Death which occurs while under the direct care of a practicing physician or other recognized practitioner. The attending or practicing physician does not need to be present at the time of death for the death to be considered attended.

CAUSE OF DEATH – The injury, disease or combination of the two responsible for initiating the physiological disturbances, brief or prolonged, which are responsible for the death.

HOMICIDE – The killing of one person by another.

HOSPICE – A centrally administered not-for-profit corporation, as determined in Florida Statute chapter 617, providing a continuum of palliative and supportive care for the terminally ill patient and his or her family. The death of a person enrolled as a hospice patient will be considered by statute as an attended death and is not routinely reported to law enforcement or the Medical Examiner unless any unusual or unexpected circumstances are present.

MANNER OF DEATH – The legal classification of the death.

MEDICAL EXAMINER – Person empowered by Statute to determine cause of death in unattended deaths and perform such examinations, investigations, and autopsies as deemed necessary.

MEDICAL EXAMINER'S DEATH INVESTIGATION REPORT – A document used to provide detailed information concerning the death of a human being.

NATURAL CAUSES – Death caused by disease or natural processes.

SUICIDE – The act of intentionally taking one's own life.

UNATTENDED DEATH – Death which occurs outside the direct care of a practicing physician or other registered practitioner.

REFERENCES

State/Federal Regulations:
Florida Statute 617

CFA:
None

Forms:
500.41-01 Crime Scene Log
500.46-01 Death Scene Checklist
500.46-02 Information for Funeral Home

Other Policy/ Procedure References:
None